

REMARKS/ARGUMENTS

This paper is submitted in response to the final Office Action mailed July 25, 2005 and the Advisory Action mailed November 3, 2005 and the Interview Summary mailed November 15, 2005. The Interview Summary, and the figure attached thereto, accurately summarizes the substance of the discussion between Applicant's attorney and Examiner Hamilton. Applicant disagrees with Examiner's Hamilton's interpretation of the Lee device, particularly the location of the "bent portion" and the "depressing-force exerting portion." The Examiner's interpretation of the "bent portion" plainly conflicts with the full perspective view of the device shown in Fig. 1. The Examiner's interpretation of the "depressing-force exerting portion" is illogical and contrived. There is no evidence in Lee et al. to support such interpretation.

Applicant further disagrees with Examiner Hamilton's interpretation of claim 1. Unamended claim 1 recites "a depressing-force exerting portion disposed between said pivot portion and said bent portion." Indeed, the Interview Summary states "The Examiner agrees with the applicant that the 'depressing-force exerting portion' as shown in figure 2c of the instant application is 'wholly' or 'only' disposed between the pivot portion and the bent portion." Claim 1 does not recite a depressing-force exerting portion located on both sides of the bent portion, yet according to the Interview Summary, the Examiner interprets claim 1 this way. The Applicant's attorney discussed this issue with Examiner Hamilton on November 17, 2005. Applicant's attorney suggested that the Examiner's interpretation of claim 1 is not supported by the specification in accordance with Section 112. It is legally impermissible to interpret Claim 1 in a manner that would cause the claim to violate Section 112. Nevertheless, Examiner Hamilton maintained his interpretation of claim 1.

Examiner Hamilton agreed that the combination of Lee et al. and Shannon fails to disclose or suggest a punching apparatus as recited in claim 1 wherein the depressing-force exerting portion is "wholly" or "only" disposed between the pivot portion and the bent portion. Therefore, claim 1 is amended accordingly to reduce issues and place the claims in condition for allowance.

New claim 22 is substantially the same as claim 1 except that it recites that the depressing-force exerting portion and the roller bearing are disposed between the pivot portion and the bent portion. In the Advisory Action, Examiner Hamilton explained that Lee et al.'s

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protuberance 33 "is replaced by the roller bearing [of] Shannon." Because Lee et al.'s protuberance 33 is not disposed between the pivot portion and the bent portion, Applicant submits that claim 22 would not have been obvious from the combined teachings of Lee et al. and Shannon. New dependent claims 23-26 correspond to claims 17, 18, 20, and 21, respectively.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,



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